

1 ADAM WANG (STATE BAR NUMBER 210233)
 2 LAW OFFICES OF ADAM WANG
 3 12 South First Street, Suite 613
 4 San Jose, CA 95113
 5 Tel: (408) 292-1040
 6 Fax: (408) 286-6619
 7 waqw@sbcglobal.net

8
 9 TOMAS E. MARGAIN, Bar No. 193555
 10 LAW OFFICES OF TOMAS E. MARGAIN
 11 1550 Bryant Street, Suite 725
 12 San Francisco, CA 94103
 13 Telephone: 415-861-9600
 14 Fax: 415-861-9622
 15 margainlaw@hotmail.com

16 Attorney for Plaintiffs
 17 Vladimir Balarezo & Osmin Avila

18
 19 UNITED STATES DISTRICT COURT
 20 FOR DISTRICT OF NORTHERN CALIFORNIA
 21 VLADIMIR BALAREZO & OSMIN AVILA, Case No.: Case No.: C07-01248 JF
 22 and on behalf of other similarly situated

23 Plaintiffs,
 24 vs.
 25 NTH CONNECT TELECOM INC., AND
 STEVEN CHEN,
 Defendants

**NOTICE OF PLAINTIFFS' MOTION FOR
 APPROVAL OF HOFFMANN-LA ROCHE
 NOTICE**

Date: April 11, 2008
 Time: 9:00 am
 Judge: Honorable Jeremy Fogel

26 TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

27
 28 THE NOTICE IS HEREBY GIVEN that on April 11, 2008 at 9:00 a.m., Plaintiffs for
 29 themselves and on behalf of all others similarly situated, will move as follows, pursuant to
 30
Hoffmann-La Roche Inc v Sperling, 493 U S 165 (1989):

31 (1) Pursuant to the Fair Labor Standards Act ("FLSA") and cases interpreting it, that
 32 the Court conditionally certify this action as a representative collective action, 29 U.S.C. §
 33 216(b);

34 (2) Pursuant to the FLSA and cases interpreting it, that the Court facilitate and
 35 authorize notice of this action to prospective collective action members, consisting of all present

**NOTICE OF PLAINTIFFS' MOTION FOR CONDITIONAL
 CERTIFICATION OF FLSA COLLECTIVE ACTION**
Balarezo, et al. v. NTH Connect Telecom Inc., et al.

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1 and former employees of Nth Connect Telecom Inc., who have held the position or performed
 2 the duties of the position known as Installation Technician, at any time from October 12, 2003 to
 3 the date of Court's Order (hereinafter "Techs");

4 (3) That the Court approve the proposed notice of this action and the consent form;

5 (4) That the Court order Nth Connect Telecom Inc. to produce to Plaintiffs' counsel
 6 the names, addresses, alternate addresses, social security numbers, and all telephone numbers of
 7 all Techs; that such information shall be provided in Microsoft Excel format to Plaintiffs' counsel
 8 within **10** days of the date of the Court's order granting Plaintiffs' Motion;

9 (5) That the Court order that all Techs shall have 120 days from the sending of Notice
 10 to postmark their Consents to Join and mail such Consents to Plaintiffs' counsel;

11 This motion is supported by the Memorandum of Points and Authorities in Support of
 12 Plaintiffs' Motion for Approval of *Hoffmann-La Roche* Notice, the Declaration of Vladimir
 13 Balarezo in support thereof, the Declaration of Osmin Avila in support thereof, the Declaration
 14 of Tomas E. Margain in support thereof, [Proposed] Order and accompanying Notice and
 15 Consent to be Party Plaintiff lodged herewith, the other records, pleadings, and papers filed in
 16 this action; and upon such other documentary and oral evidence or argument as may be presented
 17 to the Court at the hearing of this motion.

18 Dated: March 6, 2008

19 By: /s/ ADAM WANG

20 Adam Wang

21 Law Offices of Adam Wang

22 Attorney for Plaintiffs

23 /s/ TOMAS MARGAIN

24 Tomas Margain

25 Law Offices of Tomas

Attorney for Plaintiffs